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6 PIPER JAFFRAY & CO., a
7 Delaware corporation, and UBS
8 FINANCIAL SERVICES, INC., a
9 Delaware corporation,

10 Plaintiffs,

11 v.
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13 WILLIAM P. FLEENOR and D.A.
14 DAVIDSON & CO., a Montana
corporation,

15 Defendants.

16 NO. CV-06-5054-EFS

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**ORDER DISMISSING ACTION
PURSUANT TO THE PARTIES'
STIPULATION OF DISMISSAL**

25 Before the Court, without oral argument, is the parties' Stipulation
26 and Order of Dismissal ("Stipulation of Dismissal) (Ct. Rec. 34). In
their Stipulation of Dismissal, the parties stipulate to a dismissal of
Plaintiffs' claims against Defendants. *Id.* The above-described dismissal
is without prejudice and without the award of costs to any party. *Id.*
Based on the parties' Stipulation of Dismissal and pursuant to Federal
Rule of Civil Procedure 41(a), this action is hereby dismissed without
prejudice and without the award of costs to any party.

27 Accordingly, **IT IS HEREBY ORDERED:**

28 1. Pursuant to the parties' Stipulation of Dismissal (**Ct. Rec. 34**),
29 this action is **DISMISSED WITHOUT PREJUDICE**.

2. All pending motions are **DENIED AS MOOT**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order and provide a copy of the Order to counsel and **CLOSE THIS FILE.**

DATED this 22nd day of August 2006.

S/ Edward F. Shea
EDWARD F. SHEA
United States District Judge

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